

**Acknowledgement Receipt**

The USPTO has received your submission at 11:49:09 Eastern Time on **06-FEB-2007** by Deposit Account: 191013.

\$ **450** fee paid by e-Filer via *RAM* with Confirmation Number: 1611.

**eFiled Application Information**

EFS ID	1493502
Application Number	09976725
Confirmation Number	2486
Title	Optical power control monitor for multiple wavelength fiber-optic networks
First Named Inventor	Casimer M. DeCusatis
Customer Number or Correspondence Address	Steven Fischman, Esq. Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City NY 11530 US 516742-4343
Filed By	Steven Fischman/Julie Yanopoulos
Attorney Docket Number	FIS920010131US1 (14564)
Filing Date	12-OCT-2001
Receipt Date	06-FEB-2007
Application Type	Utility

**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
EOT.pdf	1	Extension of Time	135387 bytes	◆ PASS
fee-info.pdf	2	Fee Worksheet (PTO-06)	8193 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

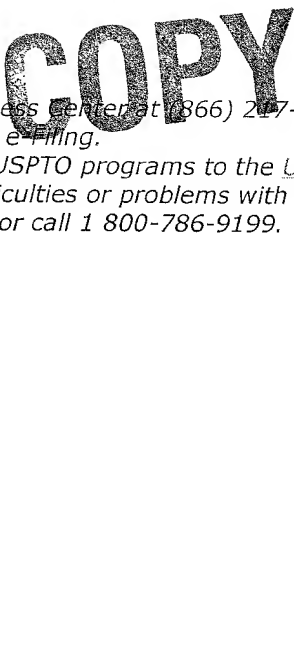
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing

Receipt, in due course.

*If you need help:*

- 
- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent e-Filing.*
  - *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
  - *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**  
**(Large Entity)**

Docket No.  
**FIS920010131US1 (14564)**

In Re Application Of: **Casimer M. DeCusatis, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
<b>09/976,725</b>	<b>October 12, 2001</b>	<b>Nathan M. Curs</b>	<b>23389</b>	<b>2613</b>	<b>2486</b>

Invention: **OPTICAL POWER CONTROL MONITOR FOR MULTIPLE WAVELENGTH FIBER-OPTIC NETWORKS**

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of **September 7, 2006** in the above-identified application.  
*Date*

The requested extension is as follows (check time period desired):

☐ One month      ☒ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from: **December 7, 2006**      until: **February 7, 2007**  
*Date*      *Date*

The fee for the extension of time is **\$450** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-1013/SSMP**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **09-0458/IBM**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

*John S. Sensny*  
*Signature*  
**John S. Sensny**  
**Registration No. 28,757**

Dated: **February 6, 2007**

**Scully, Scott, Murphy & Presser, P.C.**  
**400 Garden City Plaza - Suite 300**  
**Garden City, New York 11530**  
**(516) 742-4343**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
<i>(Date)</i>	
<i>Signature of Person Mailing Correspondence</i>	
<i>Typed or Printed Name of Person Mailing Correspondence</i>	

cc: JSS:jy

**COPY****Acknowledgement Receipt**

The USPTO has received your submission at **11:43:48** Eastern Time on **06-FEB-2007** by Deposit Account: 090458.

\$ **790** fee paid by e-File via *RAM* with Confirmation Number: 1624.

You have also pre-authorized the following payments from your USPTO Deposit Account:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17

**eFiled Application Information**

EFS ID	1493513
Application Number	09976725
Confirmation Number	2486
Title	Optical power control monitor for multiple wavelength fiber-optic networks
First Named Inventor	Casimer M. DeCusatis
Customer Number or Correspondence Address	Steven Fischman, Esq. Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City NY 11530 US 516742-4343
Filed By	Steven Fischman/Julie Yanopoulos
Attorney Docket Number	FIS920010131US1 (14564)
Filing Date	12-OCT-2001
Receipt Date	06-FEB-2007
Application Type	Utility

**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
RCE.pdf	3	Amendment Submitted/Entered with Filing of CPA/RCE	678216 bytes	◆ PASS
fee-info.pdf	2	Fee Worksheet (PTO-06)	8217 bytes	◆ PASS

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New Applications Under 35 U.S.C. 111

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- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
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## REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL (Submitted Only via EFS-Web)

Application Number	09976725	Filing Date	2001-10-12	Docket Number (if applicable)	FIS920010131US1 (14564)	Art Unit	2613
First Named Inventor	Casimer M. DeCusatis, et al.			Examiner Name	Nathan M. Curs		

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

### SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

☐ Other \_\_\_\_\_

☐ Enclosed

☐ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other \_\_\_\_\_

### MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months \_\_\_\_\_  
 (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other \_\_\_\_\_

### FEES

**The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to  
 Deposit Account No 090458

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/John S. Sensny/ <i>John S. Sensny</i>	Date (YYYY-MM-DD)	2007-02-06
Name	John S. Sensny	Registration Number	28757

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/976,725

10/12/2001

Casimer M. DeCusatis

FIS920010131US1(14564)

2486

7590

06/07/2007

EXAMINER

Steven Fischman, Esq.  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530

ART UNIT

PAPER NUMBER

DATE MAILED: 06/07/2007

Please find below and/or attached an Office communication concerning this application or proceeding.



# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

09976725

Examiner

CURS, NATHAN

Applicant(s)

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 02/06/07 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: The RCE hasn't been signed/completed.
- ☒ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- 1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
- 2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE)

Telephone No.